

## **1.0 INTRODUCTION**

### **1.1 Intent of the California Environmental Quality Act**

The City of Encinitas (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared this Environmental Impact Report (EIR) for the Belmont Village Encinitas-by-the-Sea Project (proposed Project). The proposed Project site is located within the City of Encinitas, a city located in central coastal San Diego County and comprises approximately 19.0272 gross acres. The proposed Project is described in detail in Chapter 2.0, Project Description, of this EIR.

This EIR has been prepared pursuant to CEQA (California Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14, Chapter 3, Section 15000 et seq.). This EIR has been prepared pursuant to CEQA to assess the significant effects on the environment associated with implementation of the proposed Project, to identify alternatives to the proposed Project, and to indicate the manner in which those significant effects can be mitigated or avoided. The main objectives of this document as established by CEQA are listed below:

- To identify the significant effects on the environment of the proposed Project.
- To disclose to decision makers and the public the significant environmental effects of proposed activities.
- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency approval of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

### **1.2 Purpose of the EIR**

This EIR is an informational document intended for use by the City decision-makers and members of the general public in evaluating the potential environmental effects of the proposed Project. This EIR includes discussion on the potential environmental impacts of the proposed Project; mitigation measures to reduce any significant impacts; the level of significance of impacts with and without mitigation; any unavoidable adverse impacts that cannot be mitigated; significant cumulative

impacts when taken into consideration with past, present, and reasonably foreseeable future projects; and reasonable and feasible project alternatives that would avoid or reduce significant environmental impacts.

CEQA requires an EIR to reflect the independent judgment of the lead agency. A Draft EIR is circulated for review by responsible agencies, trustee agencies, other public agencies, special districts, organizations, citizen groups, and individual members of the public (collectively referred to as interested parties). As defined in Sections 15050 and 15367 of the State CEQA Guidelines, the lead agency is the public agency that has the principal responsibility for carrying out or approving a project; a responsible agency has discretionary approval over certain project aspects; and a trustee agency has discretionary approval or jurisdiction by law over natural resources affected by a project.

The City of Encinitas is the CEQA lead agency for this EIR, and the Planning Commission will consider the information in this EIR during the public hearing process to approve, conditionally approve, or deny the proposed Project. Other discretionary actions, approvals and permits are described in Chapter 2.0, Project Description.

### 1.3. Terminology

The terms listed below are defined to assist reviewers in understanding this EIR. Additional definitions of terms are listed in CEQA Article 20 Sections 15350 to 15387.

- **Project** means the whole of an action that has the potential to result in a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.
- **Environment** means the physical conditions that exist in the area and would be affected by the proposed Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved is that in which significant direct or indirect impacts would occur as a result of the proposed Project. The environment includes both natural and man-made (artificial) conditions.
- **Impacts** analyzed under CEQA must be related to a physical change. Impacts are:
  - Direct or primary impacts that would be caused by a project and would occur at the same time and place; or
  - Indirect or secondary impacts that would be caused by a project and would be later in time or further removed in distance, but that would still be reasonably foreseeable. Indirect or secondary impacts may include growth-inducing impacts and other impacts related to induced changes in the pattern of land use, population density, growth rate, or related effects on air and water and other natural systems, including ecosystems.
- **Significant Impact on the Environment** means a substantial, or potentially substantial, adverse change in any of the physical conditions in the area affected by the proposed Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic

significance. An economic or social change by itself is not considered a significant impact on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

- **Mitigation** consists of measures that avoid or substantially reduce the proposed Project's significant environmental impacts by:
  - Avoiding the impact altogether by not taking a certain action or parts of an action;
  - Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
  - Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
  - Reducing or eliminating the impact over time through preservation and maintenance operations during the life of the action; or
  - Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.
- **Cumulative impact** refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.
  - The individual impacts may be changes resulting from a single project or separate projects.
  - The cumulative impact from several projects is the change in the environment which results from the incremental impact of the proposed Project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period.

This EIR uses a variety of terms to describe the level of significance of adverse impacts. These terms are defined as follows:

- A designation of “No Impact” indicates no adverse changes to the environment are expected.
- A “Less than Significant Impact” will not cause a substantial adverse change to the environment.
- A “Less than Significant Impact with Mitigation Incorporated” avoids a substantial adverse impact on the environment through adoption of mitigation measures.
- A “Significant and Unavoidable Impact” is a substantial adverse effect on the environment that cannot be reduced to a less than significant level even with the implementation of feasible mitigation measures.

## **1.4. CEQA EIR Process**

CEQA establishes mechanisms whereby the public and affected public agencies can be informed about the nature of the project being proposed and the extent and types of impacts that the proposed Project and its alternatives would have on the environment should the proposed Project or alternatives be implemented. The CEQA review process allows interested parties to share expertise, discuss the analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of a project, while still attaining most of the basic objectives of the proposed Project.

The CEQA process for this EIR includes:

- Preparation of an Initial Study which determined that the proposed Project requires preparation of an EIR (see Appendix A-2);
- Filing and distribution of the Notice of Preparation (see Appendix A-1, Notice of Preparation / Public Comments Received);
- Holding a CEQA public agency scoping meeting;
- Preparation of the Draft EIR;
- Release of the Draft EIR for a 45-day public review period;
- Preparation and release of the Final EIR, including responses to comments on the Draft EIR

### **1.4.1. Notice of Preparation and Public Scoping Meeting**

Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) on October 3, 2019, to interested agencies, organizations, and individuals for a 30-day public review period beginning on October 3, 2019 and ending on November 4, 2019. The NOP was also sent to the State Clearinghouse at the California Governor's Office of Planning and Research.

Pursuant to Section 15082 of the CEQA Guidelines, a public agency scoping meeting was held during the 30-day NOP public review period on October 17, 2019, at Encinitas City Hall, 505 S. Vulcan Avenue, Encinitas, California, to allow for public agency comments regarding environmental effects, mitigation measures, and the range of project alternatives to be considered.

In response to the NOP, the City received comment letters from public agencies and the general public. The Notice of Preparation and scoping letters are included in Appendix A-1 within Volume 2 (Technical Appendices) of this EIR. Table 1-1 summarizes comments received during the public scoping.

**TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS**

<b>Comment Summary</b>	<b>Where Comment Is Addressed</b>
<b>CALIFORNIA DEPT. OF FISH AND WILDLIFE – NOVEMBER 1, 2019</b>	
<ul style="list-style-type: none"> <li>DEIR should include a jurisdictional delineation.</li> </ul>	Section 3.3, Biological Resources; Biological Assessment Report (Appendix D-1)
<ul style="list-style-type: none"> <li>DEIR should identify potential impacts to stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of a Lake and Streambed Alteration Agreement (LSSA).</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include an analysis of potential impacts to the Focused Planning Area (FPA) and project consistency with the applicable sections of the draft Subarea Plan (SAP).</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>Firebreaks and fuel modification zones should be located within development footprint (i.e., included in the impact analysis as loss of habitat) per section 4.3.1.7 of the draft SAP.</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>DEIR should include a figure depicting location of fuel management zones.</li> </ul>	Brush Management zones are depicted on Figure 2.3a.
<ul style="list-style-type: none"> <li>Any agricultural land proposed for conversion should be evaluated for potential benefits to the preserve and analyzed for meeting softline conservation standards prior to development approval as specified in Section 4.3.1.10 of the draft SAP.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include the following regarding the pedestrian trail:               <ul style="list-style-type: none"> <li>an aerial photograph with overlay of the trail alignment;</li> <li>specifications of the trail design;</li> <li>measures to avoid/minimize impacts related to hikers straying off-trail and/or trail use by unauthorized vehicles; and</li> <li>a discussion of how the proposed location and use of the trail would be consistent with the City's draft SAP.</li> </ul> </li> </ul>	Pedestrian Trail alignment is depicted on Figure 2-7 and on Figure 7 of the Biological Assessment Report (Appendix D-1). Specifications for Trail Segment 65 are provided in Section 2.3.3 of the Project Description. Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should address cumulative effects to sensitive species and habitats.</li> </ul>	Section 3.3.5, Biological Resources Cumulative Impacts
<ul style="list-style-type: none"> <li>Protocol-level surveys should be conducted for listed species with potential to occur within project site and results included in the DEIR.</li> </ul>	Section 3.3, Biological Resources Coastal California Gnatcatcher Protocol Surveys are included in Appendix D-2.
<ul style="list-style-type: none"> <li>CDFW recommends that bridges be used for all proposed riparian crossings and that all riparian habitat or other sensitive natural communities be avoided.</li> </ul>	Comment Noted
<ul style="list-style-type: none"> <li>Native plants should be used to the greatest extent feasible.</li> </ul>	Section 2.0, Project Description Landscaping Plan Sheets are provided in Appendix M.
<ul style="list-style-type: none"> <li>Water runoff from landscaped areas should be directed away from mitigation/open space and/or wetland/riparian areas and contained and/or treated within the development footprint.</li> </ul>	Section 2.0, Project Description Section 3.7, Hydrology & Water Quality

**TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS**

<b>Comment Summary</b>	<b>Where Comment Is Addressed</b>
<ul style="list-style-type: none"> <li>DEIR should include a discussion of the purpose and need for, and description of, the proposed project, including staging areas and access routes to staging areas.</li> </ul>	Section 1.0, Introduction Section 2.0, Project Description
<ul style="list-style-type: none"> <li>DEIR should include a range of feasible alternatives that avoid or otherwise minimize impacts to sensitive biological resources.</li> </ul>	Section 6.0, Alternatives
<ul style="list-style-type: none"> <li>DEIR should include information on the regional setting.</li> </ul>	Section 2.0, Project Description Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include an assessment of special status plants and natural communities; an inventory of biological resources within each habitat type; and, an inventory of rare, threatened, endangered and other sensitive species.</li> </ul>	Section 3.3, Biological Resources Biological Assessment Report (Appendix D-1)
<ul style="list-style-type: none"> <li>DEIR should include a discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage to on-site or adjacent habitats; impacts on wildlife corridors/movement areas, including access to undisturbed habitats.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include mitigation measures that alleviate direct and indirect impacts.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include a requirement for temporary fencing where proposed grading or clearing is within 100 feet of preserved sensitive habitats.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include the requirement that a biological monitor be present during initial clearing, grading, and construction in sensitive habitats.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include plans for restoration and revegetation.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include measures to protect, in perpetuity, the habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts.               <ul style="list-style-type: none"> <li>Permanent fencing should be installed between the impact area and biological open space; designed to minimize intrusion by humans and domestic animals into the sensitive habitats.</li> <li>There should be no gates that would allow access between the development and biological open space.</li> <li>DEIR should address land dedications, monitoring and management programs, control of illegal dumping, water pollution, etc.</li> </ul> </li> </ul>	Section 2.0, Project Description, Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>DEIR should include a management and monitoring plan (MMP), including a funding commitment, for any on- and/or off-site biological open space easements, if applicable.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>CDFW recommends measures be taken to avoid impacts to nesting birds.</li> </ul>	Section 3.3, Biological Resources

**TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS**

<b>Comment Summary</b>	<b>Where Comment Is Addressed</b>
<b>CALTRANS – NOVEMBER 20, 2019</b>	
<b>Traffic Impact Study (TIS)</b> <ul style="list-style-type: none"> <li>A traffic impact study for the project should include northbound and southbound ramp intersections at I-5/Manchester Avenue.</li> <li>The TIS study area should include all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 50 to 100 peak hour trips.</li> <li>TIS should: <ul style="list-style-type: none"> <li>Provide detailed project distributions percentages including intersection details.</li> <li>Include a focused analysis for a State highway facility that is experiencing significant delay.</li> <li>Implement vehicles miles traveled (VMT) analysis into its modeling projections.</li> <li>Address any increase in goods movement operations and its impacts.</li> <li>Data used in the TIS should not be more than 2 years old.</li> <li>Mitigation measures for impacts to State facilities should be included in TIS and coordinated with Caltrans.</li> </ul> </li> </ul>	Section 3.8, Transportation Traffic Letter Report (Appendix I-1)
<b>Hydrology and Drainage Studies</b> <ul style="list-style-type: none"> <li>Provide a pre-and post-development hydraulics and hydrology study showing drainage configurations and patterns.</li> <li>Provide drainage plans and details, include detention basin details of inlets/outlet.</li> <li>Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns and Caltrans' Right-of-Way.</li> <li>Provide hydraulics studies, drainage and grading plans to Caltrans for review.</li> </ul>	Preliminary Grading and Drainage plans are provided on Figures 2-11a and 2-11b. Section 3.7, Hydrology and Water Quality
<b>NATIVE AMERICAN HERITAGE COMMISSION (NAHC) – NOVEMBER 1, 2019</b>	
<ul style="list-style-type: none"> <li>Assembly Bill 52 (AB 52) applies to any project for which an NOP, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.</li> <li>NAHC recommends that lead agencies consult with California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project.</li> <li>Both Senate Bill (SB 18) and AB 52 have tribal consultation requirements.</li> </ul>	Section 3.4, Cultural Resources Section 3.9, Tribal Cultural Resources AB-52 Consultation (Appendix E-3)
<ul style="list-style-type: none"> <li>NAHC provided recommendations for Cultural Resource Assessments.</li> </ul>	Cultural Resources Assessment (Appendix E-1)
<b>JESSICA CARILLI – NOVEMBER 3, 2019</b>	
<ul style="list-style-type: none"> <li>Residents will have to be bussed or take taxis to get into town.</li> </ul>	Section 3.8, Transportation & Circulation
<ul style="list-style-type: none"> <li>Site should be used for apartments for Mira Costa students and faculty.</li> </ul>	Section 6.0, Alternatives

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<b>Comment Summary</b>	<b>Where Comment Is Addressed</b>
<ul style="list-style-type: none"> <li>Has soil sampling been done?</li> </ul>	Section 4.3, Hazardous Materials
<b>CHARLES FOSTER – OCTOBER 16, 2019</b>	
<ul style="list-style-type: none"> <li>The coastal north county needs more senior care facilities.</li> <li>The project would be an asset to Encinitas and neighboring towns.</li> </ul>	Comments Noted.
<b>GLEN JOHNSON – NOVEMBER 1, 2019</b>	
<ul style="list-style-type: none"> <li>Proposed use is permitted through the issuance of a conditional use permit (major) only if the property is located on a prime arterial circulation element road as shown on the General Plan.</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>In the past the City has designated a roadway as a Prime Arterial even with only 4 lanes and required the applicant to provide land, widen the frontage to Prime Arterial status, and install the pavement. Is this the City's plan for the Belmont Village project?</li> </ul>	Comment Noted.
<ul style="list-style-type: none"> <li>A traffic study should be required that addresses traffic on Manchester Avenue.</li> </ul>	Section 3.8, Transportation and Circulation A Traffic Report is included in Appendix I-1.
<b>SUSAN M. SHEROD – OCTOBER 30, 2019</b>	
<ul style="list-style-type: none"> <li>Density exceeds that allowed in the RR-2 zone.</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>With regard to the Special Needs Overlay [sic] Proposed use would not be consistent with land use/development, redevelopment efforts, capital improvement projects, transit corridor use/development, economic redevelopment/rehabilitation efforts within the area.</li> </ul>	Project's location within the Special Overlay zones is identified in Section 2.0, Project Description.
<ul style="list-style-type: none"> <li>With regard to the Cultural/Natural Resources Overlay Zone, land in this location must contain ecologically sensitive plant and animal habitats. Much of the area has been disturbed by the I-5 freeway expansion, railroad and lagoon work being done.</li> </ul>	Section 3.3, Biological Resources
<ul style="list-style-type: none"> <li>Allowed Lot Coverage in RR-2 zone is 35%. This is too much for this ecologically sensitive location. Setbacks should be increased, for the same reason.</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>Encinitas has mass transit, but it is very weak in terms of service. This missing infrastructure should be developed before adding any more residential units.</li> </ul>	Section 3.8, Transportation and Circulation
<ul style="list-style-type: none"> <li>Landscaping should require large native trees.</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>Project should include Single Room Occupancies to serve students and some staff at the nearby Community College.</li> </ul>	Section 6.0, Alternatives
<ul style="list-style-type: none"> <li>To preserve the Biotic Resources of ecologically sensitive habitat, more of the land should remain undeveloped such as at least 75% open &amp; undeveloped.</li> </ul>	Comment noted.
<ul style="list-style-type: none"> <li>Project should be a sustainable eco-just community to meet climate action plan criteria.</li> </ul>	Section 3.6, Greenhouse Gas Emissions



**TABLE 1-1 SUMMARY OF PUBLIC SCOPING COMMENTS**

<b>Comment Summary</b>	<b>Where Comment Is Addressed</b>
<b>MR &amp; MRS PATRICK J SULLIVAN – OCTOBER 15, 2019</b>	
<ul style="list-style-type: none"> <li>As 40-year residents of Encinitas it pains us to think of losing more open spaces. Especially close to the lagoon.</li> </ul>	Comment Noted.
<ul style="list-style-type: none"> <li>The project will cause more traffic in an area that is already too congested.</li> </ul>	Section 3.8, Transportation and Circulation
<ul style="list-style-type: none"> <li>We would definitely vote no on any such development and strongly urge the city to keep this area open.</li> </ul>	Comment Noted.
<ul style="list-style-type: none"> <li>We need more open spaces. Once they are developed you can't get them back.</li> </ul>	Section 1.0, Introduction (Project Purpose and Need)
<ul style="list-style-type: none"> <li>Consider a park, subsidizing the strawberry field or anything but a big development.</li> </ul>	Section 6.0 Project Alternatives
<b>KARA WILSON – NOVEMBER 5, 2019</b>	
<ul style="list-style-type: none"> <li>The proposed density of the project is too high for the site near an environmentally sensitive lagoon.</li> </ul>	Comment Noted.
<ul style="list-style-type: none"> <li>Who is the developer on this project?</li> </ul>	Comment Noted.
<ul style="list-style-type: none"> <li>There is no need for more assisted living communities.</li> </ul>	Section 1.0, Introduction (Project Purpose and Need)
<ul style="list-style-type: none"> <li>High density housing will add pollution and traffic that is inconsistent with the development or lack of development in the area. Furthermore, all of the traffic congestion on Manchester Avenue will detract from the area.</li> </ul>	Section 3.8, Transportation and Circulation
<ul style="list-style-type: none"> <li>What zoning variances are the developers seeking for this project?</li> </ul>	Section 2.0, Project Description
<ul style="list-style-type: none"> <li>Will the City require an Environmental Impact Study to be completed before this development is approved?</li> <li>Please advise me when there will be a public hearing on this proposed development at the City.</li> </ul>	Section 1.0, Introduction (Project Purpose and Need)

**1.4.2. Draft EIR Review**

The Draft EIR will be circulated to the California State Clearinghouse, responsible and trustee agencies, and interested parties for a 45-day public review period. The Draft EIR will also be made available on the City's website under "Environmental Notices" at <https://encinitasca.gov/I-Want-To/Public-Notices/Development-Services-Public-Notices>.

Hard copies will also be available at the Encinitas Development Services Department, located at 505 S. Vulcan Avenue in Encinitas. Interested parties are invited to submit written comments to:

Scott Vurbef, Environmental Project Manager  
City of Encinitas Development Services Department  
505 S. Vulcan Avenue Encinitas, CA 92024  
Email: [svurbef@encinitasca.gov](mailto:svurbef@encinitasca.gov)

Phone: (760) 633-2692

## 1.5. EIR Content and Organization

The content and organization of this EIR are in accordance with the most recent guidelines and amendments to CEQA and the State CEQA Guidelines. Technical studies have been summarized within individual environmental analysis sections and/or summary sections. Full technical studies have been included in the appendices to this EIR (see Volume 2 of the EIR) and are available for review during the public comment period.

This EIR has been organized in the following manner:

- **Executive Summary** is provided at the beginning of the EIR that outlines the conclusions of the environmental analysis and a summary of the proposed Project as compared to the alternatives analyzed in this EIR. The Executive Summary also includes a table summarizing all identified environmental impacts, along with the associated mitigation measures proposed to reduce or avoid each impact.
- **Chapter 1.0, Introduction**, provides an overview of the EIR, introducing the proposed Project, applicable environmental review procedures, and format of the EIR.
- **Chapter 2.0, Project Description, Location, and Environmental Setting**, provides a description of the proposed Project, including its objectives, location (regional and local), background, general environmental setting, identification of discretionary actions and interested parties, and a list of cumulative projects. The setting discussion also addresses the relevant planning documents and existing land use designations of the proposed Project site.
- **Chapter 3.0, Environmental Analysis**, provides a detailed impact analysis for each environmental issue, cumulative impacts and required mitigation measures, as applicable, that would result with project implementation.
- **Chapter 4.0, Environmental Effects Found Not to Be Significant**, provides, for each environmental parameter analyzed, a description of the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the proposed Project; the existing environmental setting; the potential adverse and beneficial effects of the proposed Project; the level of impact significance before mitigation; the mitigation measures for the proposed Project; the level of significance of the adverse impacts of the proposed Project after mitigation is incorporated; and the potential cumulative impacts associated with the proposed Project and other existing, approved, and proposed development in the area.
- **Chapter 5.0, Other CEQA Considerations**, discusses project effects relative to energy conservation, addresses significant unavoidable impacts of the proposed Project, including those that can be mitigated but not reduced to below a level of significance; significant irreversible

environmental changes that would result from the proposed Project, including the use of nonrenewable resources; and growth inducement.

- **Chapter 6.0, Alternatives**, provides a description and evaluation of alternatives to the proposed Project. This section addresses the mandatory “No Project” alternative, as well as development alternatives that would reduce or avoid the proposed Project’s significant impacts.
- **Chapter 7.0, Preparers**, identifies persons involved in the preparation of this EIR and/or those contacted during preparation of this EIR who provided information or data incorporated into the document.
- **Chapter 8.0, References**, provides a list of informational sources and technical reports utilized in preparation of the EIR.
- **Appendices** provide information and/or relevant technical studies in support of the environmental analysis contained in this EIR.

Environmental issues evaluated in Chapter 3.0 of this EIR include:

- |                                       |                            |                               |
|---------------------------------------|----------------------------|-------------------------------|
| • Aesthetics                          | • Cultural Resources       | • Hydrology and Water Quality |
| • Agricultural and Forestry Resources | • Geology and Soils        | • Transportation              |
| • Biological Resources                | • Greenhouse Gas Emissions | • Tribal Cultural Resources   |

The analysis each environmental issue in Chapter 3.0 is organized as follows:

- **Existing Conditions** describes the physical environment and conditions that exists at the time of NOP issuance.
- **Regulatory Framework** describes the applicable federal, state, and local laws, as well as City of Encinitas General Plan goals and policies.
- **Threshold for Determination of Significance** identifies applicable significance thresholds and guidelines for determination of significance.
- **Analysis of Project Effects and Determination of Significance** identifies impacts of the proposed Project, including direct, indirect, short-term, and long-term. It also includes feasible mitigation measures to reduce significant impacts; and a determination of the level of significance before and after mitigation.
- **Cumulative Impact Analysis** describes the cumulative setting and evaluates the proposed Project’s potential effects on the environment in consideration with other closely related past, present, and reasonably foreseeable future projects in the cumulative study area.

Environmental issues discussed in Chapter 4.0, Environmental Effects Found Not to Be Significant, include:

- Air Quality
- Noise and Vibration
- Recreation
- Energy
- Mineral Resources
- Utilities and Service Systems
- Hazards and Hazardous Materials
- Population and Housing
- Wildfires
- Land Use and Planning
- Public Services and Facilities

## **1.6. Incorporation by Reference**

In accordance with Section 15150 of the State CEQA Guidelines, the following documents are incorporated by reference into this EIR and available for public review at the City of Encinitas, with a brief synopsis of each provided.

### **1.6.1. City of Encinitas General Plan and Certified Local Coastal Program**

The Encinitas General Plan serves as a policy document that provides long-range guidance to City officials responsible for decision-making to ensure that decisions made by the City conform to long-range goals, such as the city's future growth and long-term protection of its resources. The General Plan also provides guidance to ensure that future development conforms to the City's established plans, objectives, and/or policies, as appropriate which protects and furthers the public interest as the city continues to grow and to minimize potential adverse effects potentially occurring with ultimate buildout of the General Plan.

Approximately two-thirds of Encinitas lies within the boundaries of the California Coastal Zone. All local governments located wholly or partially within the Coastal Zone are required to prepare a Local Coastal Program (LCP) for those areas of the Coastal Zone within its jurisdiction therefore, in addition to the General Plan the City also maintains the LCP which goals and policies are directly related to California Coastal Act requirements. The California Coastal Act is intended to protect the natural and scenic resources of the Coastal Zone. The state's goals for the Coastal Zone include the following:

- Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources considering the social and economic needs of the people of the state.

- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

The City's General Plan includes issues and policies related to California Coastal Act requirements; therefore, the General Plan serves as an LCP Land Use Plan (LUP) for the City. The General Plan/LCP incorporates land use plans for future development in the Coastal Zone, provisions of the City's Zoning Regulations, zone overlays for sensitive resources, and other implementing measures to ensure the protection of coastal resources. For those lands located within the Coastal Zone, any conflicts that occur between the LUP and any policy or provision of the General Plan that is not a part of the LCP, the LUP takes precedence. Any such conflicts shall result in identifying a resolution that achieves the highest degree of protection for resources in the Coastal Zone.

The City is responsible for the issuance of Coastal Development Permits (CDPs) within the Coastal Zone, excluding submerged lands, tidelands, or public trust lands. The City's decision on a coastal development permit may be appealed to the Coastal Commission.

### **1.6.2. City of Encinitas Municipal Code**

Title 30, Zoning, of the Encinitas Municipal Code was adopted to promote and protect the public health, safety, and welfare through the orderly regulation of land uses in the city. The Zoning Regulations of Title 30 are used as an implementation mechanism for achieving the goals, objectives, and policies identified in the General Plan and are intended to "regulate the use of real property and the buildings, structures, and improvements located thereon so as to protect, promote, and enhance the public safety, health and welfare" (Ord. 86-19). Further, the Zoning Regulations are "adopted pursuant to, and to implement provisions of, the City of Encinitas General Plan and certified Local Coastal Program Land Use Plan (LUP). The regulatory provisions...shall implement the provisions of the General Plan to carry out the objectives contained therein" (Ord. 94-06).

### **1.6.3. City of Encinitas Climate Action Plan**

Climate Action Plans (CAPs) provide a roadmap for jurisdictions to take in order to reduce greenhouse gas (GHG) emissions and the potential impacts of climate change through the implementation of various strategies, goals, actions and supporting measures. In developing a CAP, jurisdictions evaluate the volume of GHGs emitted during a baseline year and determine the amount of emissions that need to be reduced to achieve statewide GHG reduction targets.

The City of Encinitas' Climate Action Plan was most recently updated in January 2018 and builds upon the goals identified in the 2011 CAP. The updated CAP commits to implementing specific programs and projects aimed at reducing and mitigating the impacts of GHG-emitting activities by certain percentages by targeted dates. The CAP organizes strategies, goals, and actions tied to various emissions sources and includes seven overarching strategies and associated goals. As of this time, the City has not adopted implementing ordinances for these requirements.